

MDP:JM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMES R. SCANNELL,

ECF CASE

NOTICE OF REMOVAL

07-CV-4613 (PAC)

-against-

RAHUL MITTAL and RAJ MITTAL,

**Supreme Court,
New York County
Index No. :
106242/07**

Defendant.

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S I R S :

PLEASE TAKE NOTICE, that the within is a true copy of a Notice of Removal filed in the above named Court.

1. This action is being removed from Supreme Court, New York County to the United States District Court for the Southern District of New York.

2. The basis for removal is 28 U.S.C. §1441(b).

3. The Court has original jurisdiction pursuant to 28 U.S.C. §1332(a) in that the plaintiff, JAMES R. SCANNELL, is a domiciliary and resident at 418 East 9th Street, New York, New York 10009 and is a citizen of New York; and defendants, RAHUL MITTAL and RAJ MITTAL, are domiciliaries and residents at 3 Condit Avenue, Parsippany, New Jersey 07954 and are citizens of New Jersey; and the matter in controversy exceeds the sum or value of \$100,000.00 exclusive of interest and costs.

Dated: New York, New York
May 31, 2007

DOWNING & PECK, P.C.

BY: /s/
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